IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 4TH DECEMBER 2007 / 13TH AGRAHAYANA 1929

RP.No. 756 of 2007(A)

AGAINST THE JUDGEMENT IN WPC.13870/2006 Dated 04/07/2006

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REVIEW PETITIONER/1ST RESPONDENT IN WPC

KERALA WATER AUTHORITY,
JALA BHAVAN, THIRUVANANTHAPURAM,
REPRESENTED BY THE MANAGING DIRECTOR.

BY ADV. SRI.M.DINESH

RESPONDENTS: PETITIONER & RESPONDENTS 2 & 3 IN W.P.(C)

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1. P.T.THOMAS, CONTRACTOR,
PALASSERIL HOUSE, KALANJOOR P.O.,
PATHANAPURAM.

2. THE EXECUTIVE ENGINEER,
P.H.DIVISION, KERALA WATER AUTHORITY,
PATHANAMTHITTA.

3. THE FINANCE MANAGER AND CHIEF ACCOUNTS
MANAGER, KERALA WATER AUTHORITY, JALA BHAVAN,
THIRUVANANTHAPURAM.

BY ADV. SRI.M.PATHROSE MATTHAI (SR.)
SRI.SAJI VARGHESE

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 4.12.2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K. M. JOSEPH, J.

C.M.APPLN. NO.335 OF 07
&
R.P. NO. 756 OF 2007
IN
W.P.C. NO. 13870 OF 2006 A

Dated this the 4th December, 2007

ORDER

Even though a counter affidavit is filed opposing the application for condonation of delay, I would think that the application for condonation of delay can be allowed. Accordingly, C.M.Appl. No.335/07 is allowed.

2. As far as the Review Petition is concerned, a perusal of the Judgment would show that the Judgment was pronounced on the basis of the stand taken by the learned counsel for the petitioner, who made the submission on the basis of instructions. I further notice that even though a Writ Appeal was carried against the Judgment, it came to be dismissed as withdrawn. I do not think that the petitioner has made out a case for reviewing the Judgment. Accordingly, the Review Petition is dismissed.

K. M. JOSEPH, JUDGE

kbk.